



Proud past. promising future

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CLERK'S ALERT FOR ATTORNEYS AND STAFF

The question came up recently of which items need to be heard by the assigned judge on that judge's Civil Motion Docket, and which items can be heard by the next judge in numerical order. (In other words, if Dept 1 does not have a docket, it would go to Dept 2, but if Dept 2 also does not have a docket, then to Dept 3, etc.)

It was clarified that all Civil Motions need to be heard by the assigned judge on that judge's civil motion docket, with the following exceptions:

- (1) Residential Unlawful Detainer cases will continue to be on the Unlawful Detainer Docket
The following can be heard on the next judge's docket if the assigned judge does not have a docket:
- (2) Motions for Default
- (3) Supplemental Proceedings (Judgment Debtor Exams) and
- (4) Motions for Judicial Subpoena

As to (2), (3) and (4), we have agreed the Suttell & Hammer firm matters may be placed on one docket. Other than that arrangement, those motions will go to the next department in numerical order.

- (5) One remaining exception are motions for preliminary Injunction in which an ex parte temporary restraining order was issued, which needs to be heard within 14 days or the TRO will expire. If the assigned judge does not have Civil Docket within 14 days, the moving party will need to contact the assigned department for a special setting, or if that judge/JA is not available to contact, the moving party should contact the presiding judge to make arrangements.

All other Civil Motions and items that now are included on the Civil Motion Docket, such as District Court appeals, need to be cited to the assigned judge's Civil Motion Docket. If a judge's regularly scheduled Civil Motion Docket is cancelled on short notice when there are already cases cited to the docket, which happens occasionally due to a trial going over into Friday or some other unanticipated reason, the judge and judicial assistant cancelling the Docket will be responsible to arrange for coverage by another judge or continuance of docket items.

ISSUED BY: Scott G. Weber, County Clerk

ISSUE DATE: September 24, 2013